UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA 24-20110-CR-GAYLES/GOODMAN CASE NO.

18 U.S.C. § 371 18 U.S.C. § 2261A(2)(A) 18 U.S.C. § 844(h) 18 U.S.C. § 1952(a) 18 U.S.C. § 981(a)(1)(C)

FILED BY MP D.C.

Mar 20, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

UNITED STATES OF AMERICA

vs.

BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and EDNER ETIENNE,

D	efendants.	

INDICTMENT

The Grand Jury charges that:

COUNT 1

Stalking Conspiracy 18 U.S.C. §§ 371 & 2261A

Beginning from in or about June 2022, the exact date being unknown to the Grand Jury, and continuing through on or about March 7, 2024, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and EDNER ETIENNE, did, with the intent to kill, injure, intimidate, and place under surveillance with intent to kill, injure, and intimidate another person, that is, VICTIM 1, use any interactive computer service and electronic communication service and electronic communication system and any other facility of interstate and foreign commerce to engage in a course of conduct that placed that person in reasonable fear of death or serious bodily injury to that person and an immediate family member, in violation of Title 18, United States Code, Sections 2261A(2)(A) and 2.

Pursuant to Title 18, United States Code, Section 2261(b)(3), it is further alleged that the defendant used a dangerous weapon during the offense.

OBJECT OF THE CONSPIRACY

It was part of the conspiracy that **BAYRON BENNETT**, **MICHAEL JOSE DULFO**, **JERREN KEITH HOWARD**, **EDNER ETIENNE** and persons known and unknown to the Grand Jury discussed and planned the use of harassing, intimidating, and coercive tactics against VICTIM 1.

MANNER AND MEANS OF THE CONSPIRACY

It was part of the conspiracy that BAYRON BENNETT, MICHAEL JOSE DULFO,

JERREN KEITH HOWARD, EDNER ETIENNE and persons known and unknown to the

Grand Jury formulated a plan and agreement which, among other things, included:

1. BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, EDNER ETIENNE and their co-conspirators used facilities and channels of interstate commerce, that is cellular phones, electronic devices, internet search engines, websites, vehicle tracking devices, motor vehicles, the internet and cellular phone networks, to surveil VICTIM 1.

- 2. BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, EDNER ETIENNE and their co-conspirators coordinated arsons and a vehicle crash targeting VICTIM 1 or persons associated with VICTIM 1, such as VICTIM 2.
- 3. **BAYRON BENNETT** and **MICHAEL JOSE DULFO** made payments to participants in the conspiracy to stalk VICTIM 1 through the distribution of United States currency, to include payments through internet platforms such as Cash App, an internet application that permits the transfer of currency from one individual to another.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

In furtherance of the conspiracy, and to accomplish the object of the conspiracy, the following overt acts, among others, were committed:

- 1. On or about July 2, 2022, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and persons known and unknown to the Grand Jury travelled to an area near the residence of VICTIM 1's sister, VICTIM 2, in Miami-Dade County.
- On or about August 12, 2023, MICHAEL JOSE DULFO and EDNER
 ETIENNE travelled to an area near the residence of VICTIM 1's sister, VICTIM
 2, in Miami-Dade County.
- On or about August 30, 2023, MICHAEL JOSE DULFO, JERREN KEITH
 HOWARD, and EDNER ETIENNE travelled to a Home Depot parking lot in
 Miami-Dade County.
- 4. On or about August 30, 2023, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and EDNER ETIENNE took possession of a rental truck from a Home Depot in Miami-Dade County.

- 5. On or about August 30, 2023, **EDNER ETIENNE** crashed a motor vehicle into VICTIM 1's motor vehicle while it was occupied by VICTIM 1.
- On or about August 30, 2023, JERREN KEITH HOWARD and EDNER
 ETIENNE had a telephone conversation.
- 7. On or about August 30, 2023, **MICHAEL JOSE DULFO** sent \$200 to **EDNER ETIENNE** via Cash App.

All in violation of Title 18, United States Code, Section 371.

COUNT 2 Stalking 18 U.S.C. § 2261A(2)(A)

Beginning from in or about June 2022, the exact date being unknown to the Grand Jury, and continuing through on or about March 7, 2024, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and EDNER ETIENNE,

did, with the intent to kill, injure, intimidate, and place under surveillance with intent to kill, injure, and intimidate another person, that is, VICTIM 1, use any interactive computer service and electronic communication service and electronic communication system and any other facility of interstate and foreign commerce to engage in a course of conduct that placed that person in reasonable fear of death or serious bodily injury, in violation of Title 18, United States Code, Sections 2261A(2)(A) and 2.

Pursuant to Title 18, United States Code, Section 2261(b)(3), it is further alleged that the defendants used a dangerous weapon during the offense.

COUNT 3 Use of Interstate Facilities in Aid of Racketeering 18 U.S.C. § 1952(a)

From on or about June 2022, through on or about July 2, 2022, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, and JERREN KEITH HOWARD,

did knowingly use facilities in interstate and foreign commerce to distribute the proceeds of unlawful activity, commit any crime of violence to further unlawful activity, and otherwise promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, and thereafter performed and attempted to perform an act to distribute the proceeds of unlawful activity, commit any crime of violence to further unlawful activity, and otherwise promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, in violation of Title 18, United States Code, Sections 1952(a)(1), (2) and (3), and 2.

Pursuant to Title 18, United States Code, Section 1952(b), it is further alleged that the unlawful activity is Arson, in violation of Title 18, United States Code, Section 844(h) and (i), and Florida Statute 806.01(1)(a) and (b).

Pursuant to Title 18, United States Code, Section 1952(a)(B), it is further alleged that the use of facilities involved the intent to commit Stalking, in violation of Title 18, United States Code, Section 2261A(2)(A).

COUNT 4 Arson 18 U.S.C. § 844(i)

On or about July 2, 2022, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, and JERREN KEITH HOWARD

did maliciously damage and destroy, and attempt to damage and destroy, and cause to be damaged and destroyed by means of fire, a vehicle used in interstate and foreign commerce and in any activity affecting interstate and foreign commerce, in violation of Title 18, United States Code, Sections 844(i) and 2.

COUNT 5 Use of Fire to Commit a Felony 18 U.S.C. § 844(h)

On or about July 2, 2022, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, and JERREN KEITH HOWARD,

did knowingly use fire, namely the ignition of a flammable liquid previously poured on a motor vehicle, to commit a felony which may be prosecuted in a court of the United States, namely, Use of Interstate Facilities in Aid of Racketeering, in violation of Title 18, United States Code, Section 1952(a), and Stalking, in violation of Title 18, United States Code, Section 2261A(2), all in violation of Title 18, United States Code, Sections 844(h) and 2.

Use of Interstate Facilities in Aid of Racketeering 18 U.S.C. § 1952(a)

From on or about July 3, 2022, through on or about August 12, 2023, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and EDNER ETIENNE,

did lanowingly use facilities in interstate and foreign commerce to distribute the proceeds of unlawful activity, commit any crime of violence to further unlawful activity, and otherwise promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, and thereafter performed and attempted to perform an act to distribute the proceeds of unlawful activity, commit any crime of violence to further unlawful activity, and otherwise promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of unlawful activity, in violation of Title 18, United States Code, Sections 1952(a)(1), (2) and (3), and 2.

Pursuant to Title 18, United States Code, Section 1952(b), it is further alleged that the unlawful activity is Arson, in violation of Title 18, United States Code, Section 844(h) and (i), and Florida Statute 806.01(1)(a) and (b).

Pursuant to Title 18, United States Code, Section 1952(a)(B), it is further alleged that the use of facilities involved the intent to commit Stalking, in violation of Title 18, United States Code, Section 2261A(2)(A).

COUNT 7 Arson 18 U.S.C. § 844(i)

On or about August 12, 2023, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and EDNER ETIENNE,

did maliciously damage and destroy, and attempt to damage and destroy, and cause to be damaged and destroyed by means of fire, a vehicle used in interstate and foreign commerce and in any activity affecting interstate and foreign commerce, in violation of Title 18, United States Code, Sections 844(i) and 2.

COUNT 8 Use of Fire to Commit a Felony 18 U.S.C. § 844(h)

On or about August 12, 2023, in Miami-Dade County, in the Southern District of Florida and elsewhere, the defendants,

BAYRON BENNETT, MICHAEL JOSE DULFO, JERREN KEITH HOWARD, and EDNER ETIENNE,

did knowingly use fire, namely the ignition of a flammable liquid previously poured on a motor vehicle, to commit a felony which may be prosecuted in a court of the United States, namely, Use of Interstate Facilities in Aid of Racketeering, in violation of Title 18, United States Code, Section

1952(a), and Stalking, in violation of Title 18, United States Code, Section 2261A(2), all in violation of Title 18, United States Code, Sections 844(h) and 2.

FORFEITURE ALLEGATIONS

- 1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants, **BAYRON BENNETT**, **MICHAEL JOSE DULFO**, **JERREN KEITH HOWARD**, and **EDNER ETIENNE** have an interest.
- 2. Upon conviction of a violation of Title 18, United States Code, Section 1952, as alleged in this Indictment, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C).
- 3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

All pursuant to Title 18, United States Code, Sections 981(a)(1(C), 982(a)(1), 924(d)(1), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

FØREPER

MARKENZY LAPOINTE

UNITED STATES ATTORNEY

BRIAN DOBBINS

ASSISTANT UNITED STATES ATTORNEY

IGNACIO J. VAZQUEZ, JR.

ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA	CASE NO.: 24-20110-CR-GAYLES/GOODMAN
v.	CEDTIFICATE OF TOTAL ATTODAY
BAYRON BENNETT, et al.,	CERTIFICATE OF TRIAL ATTORNEY
Defendants.	Superseding Case Information:
	New Defendant(s) (Yes or No) No
Court Division (select one)	Number of New Defendants
☑ Miami ☐ Key West ☐ FTP	Total number of new counts
□ FTL □ WPB	Total number of new counts
I do hereby certify that:	
	s of the indictment, the number of defendants, the number of probable
witnesses and the legal complexities of the	
	n this statement will be relied upon by the Judges of this Court in setting
their calendars and scheduling criminal tria	als under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) Yes_	
List language and/or dialect: Spani.sh	
4. This case will take 15 days for the part	nes to try.
5. Please check appropriate category and	type of offense listed below:
	Check only one)
I 🔲 0 to 5 days 🔲 Po	
•	linor
	fisdemeanor
	elony
V 61 days and over	•
•	
6. Has this case been previously filed in the	
If yes, Judge	Case No.
7. Has a complaint been filed in this matter	
If yes, Magistrate Case No. 24-mj-0245	
	ed matter in this District Court? (Yes or No)
9. Defendant(s) in federal custody as of 0	Case No
11. Rule 20 from the District o	f
12. Is this a potential death penalty case? (Y	
	pending in the Northern Region of the U.S. Attorney's Office
prior to August 8, 2014 (Mag. Judge Sh	
	pending in the Central Region of the U.S. Attorney's Office prior
to October 3, 2019 (Mag. Judge Jared S	
	on of or consultation with Magistrate Judge Eduardo I. Sanchez
during his tenure at the U.S. Attorney's	Office, which concluded on January 22, 2023? No
	n of or consultation with now Magistrate Judge Marta Fulgueira
Elfenbein during her tenure at the U.S.	Attorney's Office, which concluded on March 5, 2024? No
	<i>f</i>
	By: tcr
	BRIANDOBBINS
	Assistant United States Attorney
	Court ID No. A5501182
	Company INC. ASSUITED

Defendant's Name: BAYRON BENNETT
Case No:
Count #: 1
Conspiracy to Commit Stalking
Title 18, United States Code, Section 371 * Max. Term of Imprisonment: 5 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 2 years * Max. Fine: \$250,000
Count #: 2
Stalking
Title 18, United States Code, Section 2261A * Max. Term of Imprisonment: 10 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 3 years * Max. Fine: \$250,000
Counts #: 3, 6
Use of an Interstate Facility in aid of racketeering
Title 18, United States Code, Section 1952
* Max. Term of Imprisonment: 20 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 3 years * Max. Fine: \$250,000

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

Defendant's Name: BAYRON BENNETT
Case No:
Counts #: 4, 7
Arson
Title 18, United States Code, Section 844(i)
* Max. Term of Imprisonment: 20 years
* Mandatory Min. Term of Imprisonment (if applicable): 5 years
* Max. Supervised Release: 3 years
* Max. Fine: \$250,000
Counts #: 5, 8
Use of Fire in furtherance of a felony
Title 18, United States Code, Section 844(h)
* Max. Term of Imprisonment: 20 years
* Mandatory Min. Term of Imprisonment (if applicable): 10 years for 1st offense, 20 years
for subsequent offenses
* Max. Supervised Release: 3 years
* Max. Fine: \$250,000

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

Defendant's Name: MICHAEL JOSE DULFO
Case No:
Count #: 1
Conspiracy to Commit Stalking
Title 18, United States Code, Section 371 * Max. Term of Imprisonment: 5 years
* Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 2 years * Max. Fine: \$250,000
Count #: 2
Stalking
Title 18, United States Code, Section 2261A
* Max. Term of Imprisonment: 10 years * Mandatory Min. Term of Imprisonment (if applicable): N/A
* Max. Supervised Release: 3 years * Max. Fine: \$250,000
Counts #: 3, 6
Use of an Interstate Facility in aid of racketeering
Title 18, United States Code, Section 1952
* Max. Term of Imprisonment: 20 years
* Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 3 years
* Max. Fine: \$250,000

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

Defendant's Name: MICHAEL JOSE DULFO
Case No:
Counts #: 4, 7
Arson
Title 18, United States Code, Section 844(i)
* Max. Term of Imprisonment: 20 years
* Mandatory Min. Term of Imprisonment (if applicable): 5 years
* Max. Supervised Release: 3 years
* Max. Fine: \$250,000
Counts #: 5, 8
Use of Fire in furtherance of a felony
Title 18, United States Code, Section 844(h)
* Max. Term of Imprisonment: 20 years
* Mandatory Min. Term of Imprisonment (if applicable): 10 years for 1st offense, 20 years
for subsequent offenses
* Max. Supervised Release: 3 years
* Max. Fine: \$250,000

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

Defendant's Name: <u>JERREN KEITH HOWARD</u>
Case No:
Count #: 1
Conspiracy to Commit Stalking
Title 18, United States Code, Section 371 * Max. Term of Imprisonment: 5 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 2 years * Max. Fine: \$250,000
Count #: 2
Stalking
Title 18, United States Code, Section 2261A
* Max. Term of Imprisonment: 10 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 3 years * Max. Fine: \$250,000
Counts #: 3, 6
Use of an Interstate Facility in aid of racketeering
Title 18, United States Code, Section 1952 * Max. Term of Imprisonment: 20 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 3 years * Max. Fine: \$250,000

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

Defendant's Name:	JERREN KEITH HOWARD
Case No:	
Counts #: 4, 7	
Arson	
Title 18, United States	Code, Section 844(i)
* Max. Term of Impri	isonment: 20 years
* Mandatory Min. Te	rm of Imprisonment (if applicable): 5 years
* Max. Supervised Re	lease: 3 years
* Max. Fine: \$250,00	0
Counts #: 5, 8	
Use of Fire in furtheran	ice of a felony
Title 18, United States	Code, Section 844(h)
* Max. Term of Impri	• •
* Mandatory Min. Te	rm of Imprisonment (if applicable): 10 years for 1st offense, 20 years
for subsequent offense	`
* Max. Supervised Re	
* Max. Fine: \$250,000	•

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

Defendant's Name: <u>EDNER ETIENNE</u>
Case No:
Count #: 1
Conspiracy to Commit Stalking
Title 18, United States Code, Section 371 * Max. Term of Imprisonment: 5 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 2 years * Max. Fine: \$250,000
Count #: 2
Stalking
Title 18, United States Code, Section 2261A * Max. Term of Imprisonment: 10 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 3 years * Max. Fine: \$250,000
Count #: 6
Use of an Interstate Facility in aid of racketeering
Title 18, United States Code, Section 1952 * Max. Term of Imprisonment: 20 years * Mandatory Min. Term of Imprisonment (if applicable): N/A * Max. Supervised Release: 3 years * Max. Fine: \$250,000

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

^{*}Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.